

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND PUBLIC SAFETY

Call to Order: By **CHAIRMAN STEVE VICK**, on **February 11, 1999** at
8:06 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Rep. Steve Vick, Chairman (R)
Sen. Arnie Mohl, Vice Chairman (R)
Sen. Chris Christiaens (D)
Rep. Stan Fisher (R)
Sen. Dale Mahlum (R)
Rep. Red Menahan (D)
Sen. Debbie Shea (D)

Members Excused: None.

Members Absent: None.

Staff Present: Skip Culver, Legislative Branch
Mary LaFond, OBPP
Linsey Mortensen, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Executive Action: Department of Corrections
-Admin and Support Services

Rick Day, director of the Department of Corrections, discussed
some issues and questions asked about on 2/9/99.

EXHIBIT(jih34a01) EXHIBIT(jih34a02)

{Tape : 1; Side : A; Approx. Time Counter : 2.2 - 19.5}

Continued presentation about Urine Analysis.

EXHIBIT(jih34a03)EXHIBIT(jih34a04)

{Tape : 1; Side : A; Approx. Time Counter : 19.5 - 29.5}

Continued presentation about their request on FTE.

EXHIBIT(jih34a05)

{Tape : 1; Side : B; Approx. Time Counter : 0.2 - 5.2}

Continued presentation about inmates being placed in Montana State Prison.

EXHIBIT(jih34a06)

{Tape : 1; Side : B; Approx. Time Counter : 11.7 - 12.3}

Continued presentation

{Tape : 1; Side : B; Approx. Time Counter : 14.3 - 15.6}

Continued presentation on prison projections

EXHIBIT(jih34a07)EXHIBIT(jih34a08)

{Tape : 1; Side : B; Approx. Time Counter : 20.1 - 24.4}

Continued presentation about budget spending authority

{Tape : 1; Side : B; Approx. Time Counter : 28.4 - 32.1}{Tape : 2; Side : A; Approx. Time Counter : 0.1 - 7.9}

EXHIBIT(jih34a09)

Joe Williams explained EXHIBIT 9.

{Tape : 2; Side : A; Approx. Time Counter : 7.9 - 10.3}

Continued presentation about the prison population.

{Tape : 2; Side : A; Approx. Time Counter : 24.1 - 26.1}

Continued presentation on budget proposals

EXHIBIT(jih34a11)

{Tape : 2; Side : B; Approx. Time Counter : 20.7 - 31.4}

Questions from Committee Members and Responses

CHAIRMAN VICK asked about the correctional officer training tuition program. **Greg Noose** explained the program and how they determine the cost of tuition.

{Tape : 1; Side : A; Approx. Time Counter : 29.5 - 31.5}

SEN. CHRISTIAENS asked if in their contract with CCA it states where the officers will receive their training. **Rick Day** explained the contract and how they determine training.

{Tape : 1; Side : A; Approx. Time Counter : 31.5 - 32.7}

REP. MENAHAN asked if the state architect design the new building and if they consulted with someone out of state. **Rick Day** replied that they worked with a security firm out of Washington.

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REP. MENAHAN asked if they have a model building they build or do they design different buildings every time. **Rick Day** stated that the design was worked out with the staff. It is not a generic design.

{Tape : 1; Side : B; Approx. Time Counter : 5.2 - 7.6}

SEN. CHRISTIAENS and **Rick Day** discussed medical costs.

{Tape : 1; Side : B; Approx. Time Counter : 7.6 - 11.7}

SEN. CHRISTIAENS asked what the total number of beds at the prison are available. **Rick Day** replied 1358 at maximum capacity.

{Tape : 1; Side : B; Approx. Time Counter : 12.3 - 14.3}

Comments by **SEN. CHRISTIAENS**, and he asked about the number of beds available in each of the units. **Rick Day** stated that in the "A" unit there is 168, "B" 168, "C" 168, "D" 157, close unit 1 is 180, close unit 2 192, close unit 3 96, and Maximum is 64 beds.

{Tape : 1; Side : B; Approx. Time Counter : 15.6 - 20.1}

SEN. CHRISTIAENS asked what they think that greater length of stay is contributed to. **Rick Day** explained "good time" and the length of stay of inmates.

{Tape : 1; Side : B; Approx. Time Counter : 24.4 - 28.4}

CHAIRMAN VICK asked when the facilities in Shelby and Missoula would be open. **Joe Williams** replied that Missoula should open in October and Shelby should be around September. **CHAIRMAN VICK** and **Mr. Williams** discussed the numbers of fiscal year 2000.

{Tape : 2; Side : A; Approx. Time Counter : 10.3 - 12.4}

SEN. MOHL asked what the maximum number of people can go to Shelby. **Mr. Williams** stated that 500 could go there. **SEN. MOHL** and **Mr. Williams** discussed the possibility of women and more men going to the prison.

{Tape : 2; Side : A; Approx. Time Counter : 12.4 - 14.1}

REP. MENAHAN asked about the cost going up in Shelby instead of going down. **Joe Williams** explained.

{Tape : 2; Side : A; Approx. Time Counter : 14.1 - 15.5}

Discussion about the Dr. X building and the other contract facilities.

{Tape : 2; Side : A; Approx. Time Counter : 15.5 - 24.1}

REP. MENAHAN and **Rick Day** discussed other alternatives for the women's population.

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{Tape : 2; Side : A; Approx. Time Counter : 26.1 - 32.6}

SEN. MAHLUM asked about shipping women out of state. **Rick Day** explained EXHIBIT 10. **EXHIBIT(jih34a10)**

{Tape : 2; Side : B; Approx. Time Counter : 0.1 - 4.8}

SEN. CHRISTIAENS asked about women in the new pre-release center. **Rick Day** explained what they expected for growth.

{Tape : 2; Side : B; Approx. Time Counter : 4.8 - 6.2}

Discussion and Comments about the growth of the prison system.

{Tape : 2; Side : B; Approx. Time Counter : 6.2 - 14.5}

REP. FISHER asked about the affect of keeping inmates longer and the impact it would have on costs. **Rick Day** replied that there is always new inmates coming in.

{Tape : 2; Side : B; Approx. Time Counter : 14.5 - 17.5}

SEN. CHRISTIAENS and **Rick Day** discussed keeping inmates longer and if it would result in less prisoners.

{Tape : 2; Side : B; Approx. Time Counter : 17.5 - 20.7}

EXECUTIVE ACTION ON ADMINISTRATIVE AND SUPPORT SERVICES

Motion/Vote: **REP. MENAHAN** moved that the **BASE BUDGET AND STATEWIDE PRESENT LAW ADJUSTMENTS BE ADOPTED**. Motion carried unanimously.

{Tape : 3; Side : A; Approx. Time Counter : 2.6 - 2.9}

Board of Pardons Present Law Adjustment (DP 1111)

Motion: **SEN. SHEA** moved that **DP 1111 BE ADOPTED**.

Discussion: **CHAIRMAN VICK** asked about going from \$14,000 to \$29,000 per diem. **Becky Buska** stated that it was to \$19,000 instead of \$29,000.

Vote: Motion carried unanimously.

{Tape : 3; Side : A; Approx. Time Counter : 2.9 - 4}

Administrative Services Present Law Adjustment (DP 1131)

Discussion on DP 1311 being incorrect.

{Tape : 3; Side : A; Approx. Time Counter : 4 - 6.3}

Motion: **REP. MENAHAN** moved that **DP 1311 BE ADOPTED**.

Discussion: REP. FISHER, SEN. MOHL, and Becky Buska discussed MT. PRRIME.

Vote: Motion failed 3-4 with Christiaens, Menahan, and Shea voting aye.

{Tape : 3; Side : A; Approx. Time Counter : 6.3 - 8.7}

Professional Services Present Law Adjustment (DP 1141)

Motion: REP. MENAHAN moved that DP 1411 BE ADOPTED.

Substitute Motion: SEN. MOHL made a substitute motion that DP 1411 BE ADOPTED, CHANGING FY 2000 TO \$84,630 AND FY 2001 TO \$66,434

Discussion: REP. MENAHAN asked how much of the total was for the last biennium. Becky Buska explained.

Vote: Motion carried 4-3 with Christiaens, Menahan, and Shea voting no.

{Tape : 3; Side : A; Approx. Time Counter : 8.7 - 14.3}

Outside Medical Present Law Adjustment (DP 1155)

Motion: SEN. MOHL moved that DP 1155 BE ADOPTED, CHANGING FY 2000 TO \$658,414 AND FY 2001 TO \$962,888.

Discussion: Committee members discussed the numbers.

Substitute Motion/Vote: SEN. CHRISTIAENS made a substitute motion that DP 1155 BE ADOPTED, CHANGING FY 2000 TO \$718,264 AND FY 2001 TO 1,028,540 . Substitute motion failed 2-4 with Christiaens and Shea voting aye. *REP. MENAHAN did not vote.

Vote on Original Motion: Motion carried 4-3 with Christiaens, Menahan, and Shea voting no.

{Tape : 3; Side : A; Approx. Time Counter : 14.3 - 25.6}

Board of Pardons New Proposal (DP 2111)

Motion: SEN. CHRISTIAENS moved that DP 2111 BE ADOPTED.

Discussion: Craig Thomas, explained DP 2111 to the committee. CHAIRMAN VICK asked if this request is tied in with SEN. SHEA's bill. SEN. SHEA replied that it is not.

Vote: Motion carried unanimously.

{Tape : 3; Side : A; Approx. Time Counter : 25.6 - 28.4}

Financial Specialists (DP 2136)

Mary LaFond made comments about the need for financial specialists.

{Tape : 3; Side : A; Approx. Time Counter : 28.4 - 30.1}

Motion: SEN. CHRISTIAENS moved that DP 2136 BE ADOPTED.

Discussion: CHAIRMAN VICK asked **Mary LaFond** how much is federal money and how much is support money. **Becky Buska** stated the number. **Becky Buska** explained how this money relates to the general fund money.

{Tape : 3; Side : A; Approx. Time Counter : 30.1 - 32.6}

SEN. CHRISTIAENS asked where 4E funding is applicable. **Becky Buska** explained that kids AFC eligible homes or independent children are eligible. Becky explained further.

{Tape : 3; Side : B; Approx. Time Counter : 0.1 - 2.5}

SEN. MAHLUM asked if the associated funds cover the \$65,000 general funds. **Becky Buska** explained.

{Tape : 3; Side : B; Approx. Time Counter : 2.5 - 5.3}

Comments by SEN. MOHL and **Becky Buska**

{Tape : 3; Side : B; Approx. Time Counter : 5.3 - 7}

Vote: Motion failed 3-4 with Christiaens, Menahan, and Shea voting aye.

{Tape : 3; Side : B; Approx. Time Counter : 7 - 7.7}

MLEA Trainer (DP 2142)

Mary LaFond discussed DP 2142 and the budget office's mistake of taking the money out of the base.

{Tape : 3; Side : B; Approx. Time Counter : 7.7 - 8.9}

Motion/Vote: REP. FISHER moved that DP 2142 BE ADDED INTO THE BASE BUDGET BE ADOPTED. Motion carried unanimously.

{Tape : 3; Side : B; Approx. Time Counter : 8.9 - 9.4}

Mary LaFond explained how the motion would affect the new proposal.

{Tape : 3; Side : B; Approx. Time Counter : 9.4 - 11.1}

Motion: SEN. SHEA moved that DP 2142 BE ADOPTED.

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Discussion: REP. MENAHAN asked what the result would be if they do not approve the new training classes. Greg Noose replied that the classes available are now full and there is a waiting list. They would not be able to help get the new prison's on line.

Comments by SEN. CHRISTIAENS and SEN. MOHL about DP 2142 and SB 22. Rick Day clarified the matter.

Discussion on having a trainer for the new training program and paying tuition for training.

Vote: Motion failed 3-4 with Christiaens, Menahan, and Shea voting aye.

{Tape : 3; Side : B; Approx. Time Counter : 11.1 - 23.5}

Victims Officer (DP 21311)

Mary LaFond and Rick Day clarified the new proposal DP 21311.

{Tape : 3; Side : B; Approx. Time Counter : 23.5 - 27.7}

Comments by SEN. CHRISTIAENS, REP. FISHER, AND SEN. SHEA.

{Tape : 3; Side : B; Approx. Time Counter : 27.7 - 31.6}

Motion/Vote: SEN. MOHL moved that DP 21311 WITH ONE-TIME ONLY SPENDING AND NO FTE BE ADOPTED. Motion carried 6-1 with Vick voting no.

{Tape : 3; Side : B; Approx. Time Counter : 31.6 - 32.4}{Tape : 4; Side : A; Approx. Time Counter : 0.2 - 0.8}

The VINE System

SEN. SHEA asked about the VINE (victim interactive networking everyday) phone system and back filling on federal grants. Rick Day explained.

Further discussion on the VINE system.

{Tape : 4; Side : A; Approx. Time Counter : 1 - 13.5}

Motion/Vote: REP. FISHER moved TO TAKE \$36,000 OUT OF THE PRESENT LAW ADJUSTMENT FOR CONTRACT BEDS AND USE IT FOR THE VINE SYSTEM BE ADOPTED. Motion carried unanimously. *SEN. MOHL voted by proxy*

{Tape : 4; Side : A; Approx. Time Counter : 13.5 - 14.4}

Motion/Vote: SEN. CHRISTIAENS moved that the BUDGET BE ADOPTED AS AMENDED. Motion carried unanimously. *SEN. MOHL voted by proxy*

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{Tape : 4; Side : A; Approx. Time Counter : 14.4 - 14.8}

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ADJOURNMENT

Adjournment: 11:43 A.M.

REP. STEVE VICK, Chairman

LINSEY MORTENSEN, Secretary

SV/LM

EXHIBIT (jih34aad)